

No. 98-5864-CFH

Title: Tommy David Strickler, Petitioner

CAPITAL CASE

v.
Fred W. Greene, Warden

Docketed:
September 1, 1998

Court: United States Court of Appeals for
the Fourth Circuit

Entry Date

Proceedings and Orders

Sep 1 1998 Application (A98-186) for a stay of execution pending the
filing and disposition of a petition for a writ of
certiorari, submitted to The Chief Justice.

Sep 1 1998 Petition for writ of certiorari and motion for leave to
proceed in forma pauperis filed. (Response due October
1, 1998)

Sep 4 1998 Brief of respondent in opposition filed.

Sep 9 1998 Reply brief of petitioner filed.

Sep 10 1998 Application (A98-186) referred to the Court by the Chief
Justice.

Sep 14 1998 Application (A98-186) granted by the Court.

Sep 14 1998 Record requested.

Sep 16 1998 Record filed.

Sep 18 1998 REDISTRIBUTED. September 28, 1998

Sep 29 1998 Record filed.

Oct 5 1998 Petition GRANTED. limited to the following questions: (1)
Whether the State violated Brady v. Maryland, 373 U.S.
83 (1963), and its progeny. (2) If so, whether the
State's nondisclosure of exculpatory evidence and the
State's representation that its open file contained all
Brady material establishes the requisite "cause" for
failing to raise a Brady claim in state proceedings. (3)
Whether petitioner was prejudiced by the nondisclosure.
SET FOR ARGUMENT March 3, 1999.

Oct 15 1998 Motion of petitioner for appointment of counsel filed.

Oct 26 1998 DISTRIBUTED. October 30, 1998 (Page 25)

Nov 2 1998 Motion for appointment of counsel GRANTED and it is
ordered that Barbara L. Hartung, Esq., of Richmond,
Virginia, is appointed to serve as counsel for the
petitioner in this case.

Nov 4 1998 Order extending time to file brief of petitioner on the
merits until December 2, 1998.

Nov 4 1998 Order extending time to file brief of respondent on the
merits until January 11, 1999.

Nov 23 1998 Order further extending time to file brief of petitioner
on the merits until December 9, 1998.

Nov 23 1998 Order further extending time to file brief of respondent
on the merits until January 19, 1999.

Dec 9 1998 Brief of petitioner Tommy David Strickler filed.

Dec 9 1998 Motion of National Association of Criminal Defense
Lawyers, et al. for leave to file a brief as amici
curiae filed.

Dec 10 1998 Joint appendix filed.

Dec 10 1998 *Joint appendix in two volumes.

Jan 11 1999 Motion of National Association of Criminal Defense

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Entry Date

Proceedings and Orders

Lawyers, et al. for leave to file a brief as amici curiae GRANTED.

Jan 19 1999 Brief of respondent-Fred Greene, Warden filed.

Jan 19 1999 Brief amicus curiae of Criminal Justice Legal Foundation filed.

Jan 21 1999 LODGING consisting of ten copies of lower court documents submitted by counsel for the respondent received.

Jan 22 1999 CIRCULATED.

Feb 18 1999 Reply brief of petitioner Tommy Strickler filed.

Feb 18 1999 LODGING consisting of three sets of a letter and copies of a related expert report cited in the reply brief submitted by counsel for the petitioner.

Feb 22 1999 LODGING consisting of 20 copies of a newspaper article from the Richmond Times-Dispatch, Sunday, February 21, 1999 submitted by counsel for the petitioner and distributed.

Mar 3 1999 ARGUED.